

## COUNTY LOCAL LAWS

ACCIDENT AND SICKNESS BENEFITS FROM PROGRAMS, EXCLUSIVE OF FEDERAL SOCIAL SECURITY, TO WHICH THE COUNTY MAKES CONTRIBUTIONS; AND

(3) HE WAS MAKING PARTICIPANT'S CONTRIBUTIONS TO THIS PLAN IMMEDIATELY PRIOR TO HIS DATE OF DISABILITY; AND

(4) HE IS NOT ELIGIBLE FOR NON-SERVICE CONNECTED DISABILITY RETIREMENT; AND

(5) SUCH DISABILITY IS THE RESULT OF INJURY COMPENSABLE UNDER THE STATE OF MARYLANDS' WORKMENS' COMPENSATION LAWS AND CLAIM IS FILED WITH THE WORKMEN'S COMPENSATION COMMISSION.

SECTION 1-266. DISQUALIFICATION FOR DISABILITY BENEFITS.

(A) TOTAL AND PERMANENT DISABILITY SHALL EXCLUDE DISABILITY RESULTING FROM OR CONSISTING OF ADDICTION TO NARCOTICS, ENGAGING IN A FELONIOUS CRIMINAL ACT FOR WHICH HE IS FOUND GUILTY, A WILFUL EFFORT ON HIS PART TO BRING ABOUT THE INJURY OR ILLNESS HIMSELF OR ANY OTHER PERSON, OR SERVICE IN THE ARMED FORCES OF ANY COUNTRY.

(B) A PARTICIPANT SHALL CEASE TO QUALIFY FOR A NON-SERVICE CONNECTED DISABILITY PENSION IF HE IS NO LONGER ELIGIBLE FOR DISABILITY BENEFITS UNDER THE PROVISIONS OF THE SOCIAL SECURITY ACT. NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, THIS SUBSECTION SHALL NOT BE APPLICABLE TO ANY PARTICIPANT ONCE HE HAS ATTAINED HIS NORMAL RETIREMENT DATE.

(C) A PARTICIPANT SHALL CEASE TO QUALIFY FOR A SERVICE CONNECTED DISABILITY PENSION IF, PRIOR TO THE NORMAL RETIREMENT DATE:

(1) THE PERSONNEL OFFICER DETERMINES ON THE BASIS OF A MEDICAL EXAMINATION BY A PHYSICIAN OR PHYSICIANS SELECTED BY HIM THAT THE PARTICIPANT IS NO LONGER TOTALLY AND PERMANENTLY INCAPACITATED; OR

(2) THE PARTICIPANT REFUSES TO UNDERGO A MEDICAL EXAMINATION AT THE REQUEST OF THE PERSONNEL OFFICER, PROVIDED HE MAY NOT BE REQUIRED TO UNDERGO A MEDICAL EXAMINATION MORE THAN ONCE A YEAR.

(D) DISABILITY PENSION BENEFITS PAYABLE TO ANY PARTICIPANT SHALL AUTOMATICALLY CEASE WHEN THE PARTICIPANT REACHES SIXTY (60) YEARS OF AGE, AT WHICH TIME THE PARTICIPANT SHALL BE ENTITLED TO RECEIVE A NORMAL RETIREMENT PENSION UNDER THE PLAN. THE AMOUNT OF SUCH PENSION SHALL BE DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1-267, OF THIS ARTICLE.